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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/719,507

11/21/2003

Hans-Norbert Brand

K 217

3015

7590

10/05/2005

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EXAMINER

SUNG, CHRISTINE


ART UNIT

PAPER NUMBER

2878

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/719,507	<b>Applicant(s)</b> BRAND ET AL. 	
	<b>Examiner</b> Kristie Watson	<b>Art Unit</b> 2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2003 and 21 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/21/2003</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1- 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steklenski, et al. U. S. Publication 2003/0099582 in view of Hitomi et al. U. S. Patent 3,772, 206.

3. Pertaining to claim 1, **Steklenski et al.** (Paragraphs 0004, 0005, and 0008) discloses a thermo luminescence detector having a coded cover layer (0006 and 0008), said layer having a thickness of 30 to 50  $\mu\text{m}$  and having a code burnt into said cover layer by quantitative evaporation of areas of the cover layer by means of a laser in accordance with a selectable pattern. However, **Steklenski et al.** does not teach that said cover layer consisting of a silicon resin having pigment particles finely distributed therein. **Hitomi et al.** (Column 3, Lines 60 – 75) teaches that a thermo luminescence detector having a cover layer consisting of a silicone resin having pigment particles finely distributed therein. In view of **Hitomi et al.**, it would have been obvious to one of ordinary skill in the art to modify the device of **Steklenski** with the silicone resin of **Hitomi** because this is the preferred coating aids used on detectors (Paragraph 0014).

4. Pertaining to claim 2, **Steklenski et al.** (Paragraphs 0004, 0005, and 0008) discloses that a thermo luminescence detector according to claim 1, wherein said pigment particles are black iron oxide particles with a particle size of 2 - 4  $\mu\text{m}$ .

5. Pertaining to claim 3, **Steklenski et al.** (Paragraphs 0004, 0005, and 0008) disclose that a thermo luminescence detector according to claim 1, wherein the pigment content in said cover layer is between 50 and 60 %.

6. Pertaining to claim 4, **Steklenski et al.** (Paragraph 0003, 0012, 0016) in view **Hitomi et al.**, U. S. Patent 3,772,206 (Column 3, Lines 1 –10 and 60-75) disclose that a method for the manufacture of thermo luminescence detectors (Column 3, Lines 1-10, and 60-75) with a coded cover layer (0006 and 0008), comprising the following steps: a) coating thermo luminescence crystals with a pigmented silicon including a solvent resin to form a uniform cover layer, b) pre-tempering said cover layer (Column 3, Lines 1-10 and 60-75) at a temperature of about 100°C for 15 min so as to evaporate to a large extent the solvent from the cover layer, c) coding the cover layer (Column 3, Lines 1-10, and 60-75) by almost quantitative vaporization of areas of the cover layer by means of a laser in accordance with a selectable pattern, and d) tempering the coded cover layer at a temperature of 170 - 400°C. **Steklenski et al.** does not teach that coating thermo luminescence crystals with a pigmented silicon including a solvent resin to form a uniform cover layer. However, **Hitomi et al.** (Column 3, Lines 60 – 75) teaches that

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coating thermo luminescence crystals with a pigmented silicon including a solvent resin to form a uniform cover layer. In view of **Hitomi et al.**, it would have been obvious to one of ordinary skill in the art to modify the device of **Steklenski** with the silicone resin of **Hitomi** because this is the preferred coating aids used on detectors (Paragraph 0014).

7. Pertaining to claim 5, **Steklenski et al.** (Paragraphs 0003 and 0012) in view of **Hitomi et al.** disclose that a method according to claim 4, wherein thermo luminescence crystals are held by a holder in an orderly two-dimensional array and are removed from said holder before final tempering.

8. Pertaining to claim 6, **Hitomi et al.** (Lines 60- 75) discloses that a method according to claim 4, wherein said thermo-luminescence crystals are coated with said silicon resin by a spray-painting procedure.

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Watson whose telephone number is (571) 272-5052. The examiner can normally be reached on 8:00 am - 4:30 pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on (571) 272- 2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Watson  
Examiner  
Art Unit 2878

Kdw

  
**DAVID PORTA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**